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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Timothy W. CONNER *et al.*

Appl. No.: 09/540,234

Filed: April 3, 2000

For: **Nucleic Acid Molecules and Other  
Molecules Associated with Plants**

Art Unit: 1631

Examiner: S. Zhou

Atty. Docket: 38-21(15726)B

#4  
Plunkett  
9/6/01

### Response to Restriction Requirement

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 30, 2001, Applicants submit the following remarks.

#### *Remarks*

The application presently contains claims 1-10. In the Office Action mailed July 30, 2001, the Examiner required restriction to one of the following inventions under 35 U.S.C. § 121:

Group I: Claims 1-2, drawn to a substantially purified nucleic acid molecule, classified in class 536, subclass 23.1;

Group II: Claim 3, drawn to a substantially purified wheat protein or fragment thereof, classified in class 530, subclasses 300 and 350; and

Group III: Claims 4-10, drawn to a transformed plant, classified in class 800, subclass 3.

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August 29, 2001

*Attn: Box Non-Fee-Amendment*

Commissioner for Patents  
Washington, DC 20231

Group Art Unit: 1631  
Examiner: S. Zhou

Re: U.S. Utility Patent Application Serial No. 09/540,234  
Filed: April 3, 2000  
For: Nucleic Acid Molecules and Other  
Molecules Associated with Plants  
Inventors: Timothy W. CONNER *et al.*  
Atty. Docket: 38-21(15726)B

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Response to Restriction Requirement; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-1824. A duplicate copy of this letter is enclosed.

Sincerely,

A handwritten signature in black ink that reads "D R. Marsh".

David R. Marsh (Reg. No. 41,408)

Enclosures